

# Montana State Legislature

## **2013 Session**

**Additional Documents include:**

- \*Business Report**
- \*Roll Call- attendance**
- \*Standing Committee Reports,**
- \*Table Bills, Fiscal reports etc.**
- \*Roll Call Votes**
- \*Witness Statements**
- \*Informational items**
- \*Visitor Registrations**
- \*Any other Documents;**
  - ~Petitions if any?**
  - ~Any and all material handed in after the meeting end.**

**The original is on file at the  
Montana Historical Society and  
may be viewed there.**

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**BUSINESS REPORT**  
**MONTANA SENATE**  
**63rd LEGISLATURE - REGULAR SESSION**

**SENATE JUDICIARY COMMITTEE**

**Date:** Friday, February 22, 2013  
**Place:** Capitol

**Time:** 8:00 A.M.  
**Room:** 303

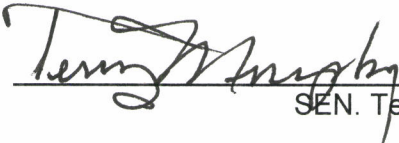
**BILLS and RESOLUTIONS HEARD:**

SB 279 - Generally revise statute of limitation laws - Sen. Jim Peterson  
SB 306 - Revise partner family member assault laws - Sen. Alan Olson  
SB 320 - Generally revise campaign finance and disclosure laws - Sen. Chas Vincent  
SB 326 - Revise sexual assault laws and parental rights - Sen. Sue Malek  
SB 331 - Revise laws related to process servers - Sen. Terry Murphy  
SB 362 - Increase penalties for domestic violence offenders - Sen. Jonathan Windy Boy

**EXECUTIVE ACTION TAKEN:**

SB 85-Tabled  
SB 279-Tabled  
SB 331-Do Pass  
SB 320-Do Pass  
SB 326-Do Pass  
SB 210-Do Pass  
SB 267-Do Pass  
SB 321-Do Pass  
SB 306-Do Pass  
SB 251-Do Pass As Amended  
SB 310-Failed-Tie Vote  
SB 311-Failed Tie Vote

**Comments:**

  
\_\_\_\_\_  
SEN. Terry Murphy, Chair

# MONTANA STATE SENATE

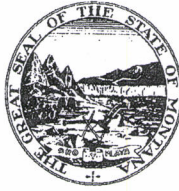
## 2013 JUDICIARY COMMITTEE

### ROLL CALL

DATE: 2/22/13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, SENATOR TERRY MURPHY	/	
VICE CHAIRMAN, SENATOR SCOTT SALES	/	
SENATOR SHANNON AUGARE		/
SENATOR ANDERS BLEWETT	/	
SENATOR SCOTT BOULANGER	/	
SENATOR JOHN BRENDEN		/
SENATOR ROBYN DRISCOLL	/	
SENATOR JENNIFER FIELDER	/	
SENATOR LARRY JENT		/
SENATOR CLIFF LARSEN	/	
SENATOR CHAS VINCENT	/	
SENATOR ART WITTICH		/





## SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 331** (first reading copy -- white) **do pass.**

Signed: \_\_\_\_\_

*Terry Murphy*  
Senator Terry Murphy, Chair

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

SB0331001SC.swr





## SENATE STANDING COMMITTEE REPORT

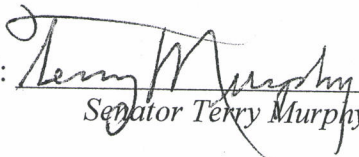
February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 320** (first reading copy -- white) do pass.

Signed:

  
Senator Terry Murphy, Chair

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required ☐

SB0320001SC.swr



## SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 326** (first reading copy -- white) **do pass.**

Signed: \_\_\_\_\_

*Terry Murphy*  
Senator Terry Murphy, Chair

- END -

**Committee Vote:**

**Yes 12, No 0**

Fiscal Note Required \_\_\_\_

SB0326001SC.swr



## SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 210** (first reading copy -- white) **do pass.**

Signed: \_\_\_\_\_

*Terry Murphy*  
Senator Terry Murphy, Chair

- END -

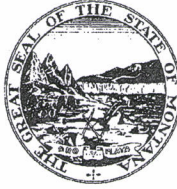
Committee Vote: /

Yes 7, No 5

Fiscal Note Required \_\_

SB0210001SC.swr





## SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 4

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 251** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Terry Murphy*  
Senator Terry Murphy, Chair

**And, that such amendments read:**

1. Page 12, line 21 through line 22.

**Strike:** subsection (3) in its entirety

**Insert:** "(3) a description of the action or inaction proposed, the material facts upon which the trustee has relied in making its decision regarding the proposed action or inaction, and an explanation of the reasons for the action or inaction;

(4) a statement that failure of a qualified beneficiary to object within the allowed time bars the qualified beneficiary from taking any legal action against the trustee for liability within the scope of [section 22] except as provided in [section 22(3)] and that a qualified beneficiary may want to seek independent legal advice regarding the matter at the qualified beneficiary's expense;

(5) the time within which objections to the proposed action or inaction can be made, which must be at least 30 days from providing the notice of proposed action or notice of proposed inaction;"

**Renumber:** subsequent subsection

2. Page 12, line 30.

**Following:** "inaction."

**Insert:** "The written objection may take any form reasonably calculated to communicate the objection but need not give any reason for the objection."

3. Page 13, line 1.

**Committee Vote:**

**Yes 8, No 4**

Fiscal Note Required ☐

**Strike:** "A"

**Insert:** "Except as provided in subsection (3), a"

4. Page 13, line 3.

**Strike:** "If"

**Insert:** "Except as provided in subsection (3), if"

5. Page 13.

**Following:** line 6

**Insert:** "(3) The failure of a qualified beneficiary to object does not preclude the qualified beneficiary from holding the trustee liable for a breach of trust in any of the following circumstances:

(a) if the qualified beneficiary at the time of the qualified beneficiary's failure to object did not have notice of the proposed action as prescribed in [sections 19 through 23]; or

(b) if the qualified beneficiary's failure to object was induced by improper conduct of the trustee."

**Renumber:** subsequent subsections

6. Page 13, line 9.

**Strike:** "a qualified beneficiary objecting to the proposed action"

**Insert:** "the trustee"

7. Page 13, line 10.

**Strike:** "not"

8. Page 13, line 19.

**Strike:** "a qualified beneficiary objecting to the proposed inaction"

**Insert:** "the trustee"

9. Page 13, line 20.

**Following:** "should"

**Insert:** "not"

10. Page 15, line 7 through line 11.

**Strike:** subsections (2) and (3) in their entirety

**Insert:** "(2) Unless specifically provided to the contrary in [sections 1 through 132] or unless inconsistent with [sections 1 through 132], the rules of civil procedure, including the rules concerning vacation of orders and appellate review, govern proceedings under [sections 1 through 132]."

11. Page 51, line 16 through line 17.

**Strike:** subsection (a) in its entirety

**Insert:** "(a) any loss or depreciation in value of the trust estate resulting from the breach of trust, with interest;"

12. Page 51, line 18.

**Following:** "breach"

**Insert:** "of trust, with interest; or

(c) any profit that would have accrued to the trust estate if the loss of profit is the result of the breach of trust"

13. Page 51, line 22.

**Following:** "indifference to the"

**Insert:** "fiduciary duties of the trustee, the terms or"

**Following:** "purposes of the trust"

**Insert:** ", "

14. Page 51, line 25.

**Insert:** "(3) If the trustee is liable for interest pursuant to this section, interest must be determined as the greater of the following amounts:

(a) the amount of interest that accrues at the legal rate on judgments; or

(b) the amount of interest the trustee actually received as a result of the breach of trust."

15. Page 53, line 2.

**Following:** "to the"

**Insert:** "fiduciary duties of the trustee, the terms or"

**Following:** "the trust"

**Insert:** ", "

**Following:** "beneficiaries;"

**Strike:** "or"

16. Page 53, line 4.

**Following:** "settlor"

**Insert:** "; or

(c) relieves the trustee of accountability for profits derived from a breach of trust"

17. Page 53, line 6.

**Following:** "circumstances"

**Strike:** "and"

**Insert:** ", "

18. Page 53, line 7.

**Following:** "settlor"

**Insert:** ", and that the settlor was represented by independent legal counsel before adopting the exculpatory term."

19. Page 56, line 8.

**Following:** "action"



Insert: "-- substituted judgment"

- END -



## SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 267** (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

*Terry Murphy*  
Senator Terry Murphy, Chair

- END -

**Committee Vote:**

**Yes 12, No 0** ✓

Fiscal Note Required \_\_\_\_

SB0267001SC.swr



## SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 321** (first reading copy -- white) **do pass.**

Signed: \_\_\_\_\_

*Terry Murphy*  
Senator Terry Murphy, Chair

- END -

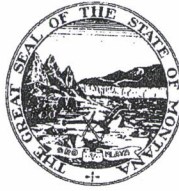
**Committee Vote:**

**Yes 7, No 5**

Fiscal Note Required ☐

SB0321002SC.swr





## SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 306** (first reading copy -- white) **do pass.**

Signed: \_\_\_\_\_

*Terry Murphy*  
Senator Terry Murphy, Chair

- END -

Committee Vote:

Yes 11, No 1

Fiscal Note Required ☒

SB0306001SC.SWR

## BILL TABLED NOTICE

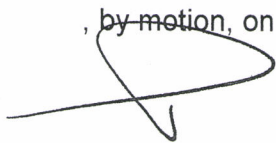
### SENATE JUDICIARY COMMITTEE

The **SENATE JUDICIARY COMMITTEE** TABLED

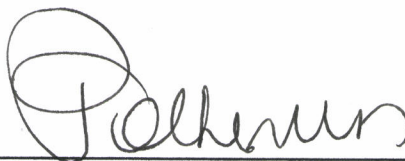
**SB 85 - Revise laws related to judge disqualification - Sen. Terry Murphy**

**SB 279 - Generally revise statute of limitation laws - Sen. Jim Peterson**

, by motion, on **Friday, February 22, 2013.**



\_\_\_\_\_  
(For the Committee)



\_\_\_\_\_  
(For the Secretary of the Senate)

12:15, 2/22  
(Time) (Date)

February 22, 2013 (12:00pm)

Pam Schindler, Secretary

Phone: 406-444-4891  
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**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO. SB331 MOTION NO. 1

MOTION: Roll Call

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	/		
SENATOR JOHN BRENDEN	/		/
SENATOR JENNIFER FIELDER	/		
SENATOR CHAS VINCENT	/		
SENATOR SCOTT BOULANGER	/		
SENATOR ART WITTICH	/		/
SENATOR SHANNON AUGARE	/		/
SENATOR ANDERS BLEWETT	/		
SENATOR ROBYN DRISCOLL	/		
SENATOR LARRY JENT	/		/
SENATOR CLIFF LARSEN	/		
CHAIRMAN, SENATOR TERRY MURPHY	/		



**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO. SB320 MOTION NO. 1

MOTION:

Dolan

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>—</u>
SENATOR SHANNON AUGARE		<u>—</u>	<u>—</u>
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR ROBYN DRISCOLL		<u>—</u>	
SENATOR LARRY JENT		<u>—</u>	<u>—</u>
SENATOR CLIFF LARSEN		<u>—</u>	
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

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**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO SB279 MOTION NO. 1

MOTION:

Table

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN		<u>—</u>	<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>—</u>
SENATOR SHANNON AUGARE	<u>—</u>		<u>—</u>
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		<u>—</u>
SENATOR CLIFF LARSEN	<u>—</u>		
CHAIRMAN, SENATOR TERRY MURPHY		<u>—</u>	

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

DATE 2/22/13 BILL NO. SB326 MOTION NO. 1

MOTION:

*Dotan*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>—</u>
SENATOR SHANNON AUGARE	<u>—</u>		<u>—</u>
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		<u>—</u>
SENATOR CLIFF LARSEN	<u>—</u>		
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

12/0



**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO. SB85 MOTION NO. 2  
MOTION: Amend 0085.01

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
<del>VICE</del> CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		—
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH		—	—
SENATOR SHANNON AUGARE	—		—
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		—
SENATOR CLIFF LARSEN	—		
<del>VICE</del> CHAIRMAN, SENATOR TERRY MURPHY	—		

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

DATE 2/22/13 BILL NO SB85 MOTION NO. 3

MOTION:

Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
<del>VICE</del> CHAIRMAN, SENATOR SCOTT SALES		—	
SENATOR JOHN BRENDEN		—	—
SENATOR JENNIFER FIELDER		—	
SENATOR CHAS VINCENT		—	
SENATOR SCOTT BOULANGER		—	
SENATOR ART WITTICH		—	
SENATOR SHANNON AUGARE		—	—
SENATOR ANDERS BLEWETT		—	
SENATOR ROBYN DRISCOLL		—	
SENATOR LARRY JENT		—	—
SENATOR CLIFF LARSEN		—	
<del>Vice</del> CHAIRMAN, SENATOR TERRY MURPHY	—		



**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO. SB 81 MOTION NO. 3

MOTION: \_\_\_\_\_

table

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
<b>VICE CHAIRMAN, SENATOR SCOTT SALES</b>	<u>—</u>		
<b>SENATOR JOHN BRENDEN</b>	<u>—</u>		<u>—</u>
<b>SENATOR JENNIFER FIELDER</b>	<u>—</u>		
<b>SENATOR CHAS VINCENT</b>	<u>—</u>		
<b>SENATOR SCOTT BOULANGER</b>	<u>—</u>		
<b>SENATOR ART WITTICH</b>	<u>—</u>		
<b>SENATOR SHANNON AUGARE</b>	<u>—</u>		<u>—</u>
<b>SENATOR ANDERS BLEWETT</b>	<u>—</u>		
<b>SENATOR ROBYN DRISCOLL</b>	<u>—</u>		
<b>SENATOR LARRY JENT</b>	<u>—</u>		<u>—</u>
<b>SENATOR CLIFF LARSEN</b>	<u>—</u>		
<b>CHAIRMAN, SENATOR TERRY MURPHY</b>		<u>—</u>	

Table

**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO SB210 MOTION NO. 1

MOTION:

Do Pass

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>1</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>1</u>
SENATOR SHANNON AUGARE		<u>—</u>	<u>1</u>
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR ROBYN DRISCOLL		<u>—</u>	
SENATOR LARRY JENT		<u>—</u>	<u>—</u>
SENATOR CLIFF LARSEN		<u>—</u>	
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

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**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO SB251 MOTION NO. 2

MOTION:

Amendment → 025101. #1

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		—	
SENATOR JOHN BRENDEN		—	—
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER		—	
SENATOR ART WITTICH	—		—
SENATOR SHANNON AUGARE	—		—
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		—
SENATOR CLIFF LARSEN	—		
CHAIRMAN, SENATOR TERRY MURPHY	—		

9/3



**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO SB 251 MOTION NO. 3

MOTION:

amendment 251.02

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		<u>—</u>	
SENATOR JOHN BRENDEN		<u>—</u>	<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>—</u>
SENATOR SHANNON AUGARE	<u>—</u>		<u>—</u>
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		<u>—</u>
SENATOR CLIFF LARSEN	<u>—</u>		
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

10/2

**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO. SB 25 MOTION NO. 4  
MOTION: Do Pass Amendment

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		<u>/</u>	
SENATOR JOHN BRENDEN		<u>/</u>	<u>/</u>
SENATOR JENNIFER FIELDER	<u>/</u>		
SENATOR CHAS VINCENT		<u>/</u>	
SENATOR SCOTT BOULANGER		<u>/</u>	
SENATOR ART WITTICH	<u>/</u>		<u>/</u>
SENATOR SHANNON AUGARE	<u>/</u>		<u>/</u>
SENATOR ANDERS BLEWETT	<u>/</u>		
SENATOR ROBYN DRISCOLL	<u>/</u>		<u>/</u>
SENATOR LARRY JENT	<u>/</u>		<u>/</u>
SENATOR CLIFF LARSEN	<u>/</u>		
CHAIRMAN, SENATOR TERRY MURPHY			

8/4



**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO SB267 MOTION NO. 1

MOTION:

DO PASS

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>—</u>
SENATOR SHANNON AUGARE	<u>—</u>		<u>—</u>
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		<u>—</u>
SENATOR CLIFF LARSEN	<u>—</u>		
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

12/0

**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO SB321 MOTION NO. 2

MOTION:

Amendment

321.01

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER		<u>—</u>	
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>—</u>
SENATOR SHANNON AUGARE		<u>—</u>	<u>—</u>
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR ROBYN DRISCOLL		<u>—</u>	
SENATOR LARRY JENT		<u>—</u>	<u>—</u>
SENATOR CLIFF LARSEN		<u>—</u>	
CHAIRMAN, SENATOR TERRY MURPHY		<u>—</u>	

5/7

**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO SB321 MOTION NO. 1

MOTION:

Do Pass

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>—</u>
SENATOR SHANNON AUGARE		<u>—</u>	<u>—</u>
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR ROBYN DRISCOLL		<u>—</u>	
SENATOR LARRY JENT		<u>—</u>	<u>—</u>
SENATOR CLIFF LARSEN		<u>—</u>	
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

DATE 3/22/13 BILL NO SB310 MOTION NO. 1

MOTION:

Peters

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		<input checked="" type="checkbox"/>	
SENATOR JOHN BRENDEN		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR JENNIFER FIELDER		<input checked="" type="checkbox"/>	
SENATOR CHAS VINCENT	<input checked="" type="checkbox"/>		
SENATOR SCOTT BOULANGER		<input checked="" type="checkbox"/>	
SENATOR ART WITTICH		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR SHANNON AUGARE	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
SENATOR ANDERS BLEWETT	<input checked="" type="checkbox"/>		
SENATOR ROBYN DRISCOLL	<input checked="" type="checkbox"/>		
SENATOR LARRY JENT		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		
CHAIRMAN, SENATOR TERRY MURPHY	<input checked="" type="checkbox"/>		

6/6

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

DATE 2/22/13 BILL NO. SB311 MOTION NO. 1

MOTION:

Dotaus

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		<u>—</u>	
SENATOR JOHN BRENDEN		<u>—</u>	<u>—</u>
SENATOR JENNIFER FIELDER		<u>—</u>	
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER		<u>—</u>	
SENATOR ART WITTICH		<u>—</u>	<u>—</u>
SENATOR SHANNON AUGARE	<u>—</u>		<u>—</u>
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT		<u>—</u>	<u>—</u>
SENATOR CLIFF LARSEN	<u>—</u>		
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

6/6



**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/22/13 BILL NO SB306 MOTION NO. 1

MOTION:

Debas

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN		<u>—</u>	<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		<u>—</u>
SENATOR SHANNON AUGARE	<u>—</u>		<u>—</u>
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		<u>—</u>
SENATOR CLIFF LARSEN	<u>—</u>		
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

11/1



# SENATE PROXY

I, Senator Aljale, hereby authorize Senator  
LARSEN to vote my proxy before the  
Senate JUDICIARY meeting held on  
                    , 2013.

Senator Signature (Sen. Shannon Augare)

2/22/13 Date

Said authorization is as follows: *(mark only one)*

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]



20/10/10



# SENATE PROXY

I, Senator Larry Vent, hereby authorize Senator Cliff Larsen to vote my proxy before the Senate Judiciary Committee meeting held on Wed, Jan 16, 2013.

\_\_\_\_\_  
Senator Signature

2/22/2013  
Date

Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]







# SENATE PROXY

I, Senator Driscoll, hereby authorize Senator  
LARSEN to vote my proxy before the  
Senate JUDICIARY meeting held on  
                    , 2013.

Robyn Driscoll  
Senator Signature (Sen. Robyn Driscoll)

2/24/13 Date

Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]




8/15/12



# SENATE PROXY

I, Senator DRUMMOND, hereby authorize Senator  
SALES to vote my proxy before the  
 Senate JUDICIARY meeting held on  
                    , 2013.

  
\_\_\_\_\_  
Senator Signature (Sen. John Brenden)

2/22/13 Date

Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]



1000000

1000000



# SENATE PROXY

I, Senator WITTEN, hereby authorize Senator  
SALES to vote my proxy before the  
Senate JUDICIARY meeting held on  
                    , 2013.

Art Wittich  
Senator Signature (Sen. Art Wittich)

2/22/13  
Date

Said authorization is as follows: *(mark only one)*

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]







# SENATE JUDICIARY COMMITTEE

Sponsor: **Sen. Sue Malek**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

## SENATE JUDICIARY COMMITTEE

Sponsor: **Sen. Jim Peterson**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**



**MONTANA STATE SENATE**  
**Visitors Register**  
**SENATE JUDICIARY COMMITTEE**

**Friday, February 22, 2013**

**SB 320 - Generally revise campaign finance and disclosure laws**

**Sponsor: Sen. Chas Vincent**

**PLEASE PRINT**

Name	Representing	Support	Oppose	Info
Julie Steab	CORP			✓
Ron Stoltz	SELF		✓	
Jim Brown	SELF	X		
JOHN Barrows			X	

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

**SENATE JUDICIARY COMMITTEE**

Sponsor: **Sen. Alan Olson**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

## SENATE JUDICIARY COMMITTEE

**Sponsor: Sen. Terry Murphy**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**



**MONTANA STATE SENATE**  
**Visitors Register**  
**SENATE JUDICIARY COMMITTEE**

**Friday, February 22, 2013**

**SB 362 - Increase penalties for domestic violence offenders**

**Sponsor: Sen. Jonathan Windy Boy**

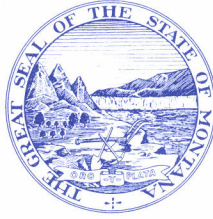
**PLEASE PRINT**

Name	Representing	Support	Oppose	Info
Kebunfany	MUADSV	X		
Jim Smith	MSOPA	X		
Joselyn Cric	Lincoln County	+		
Cristie FitzGerald	Self	✓		
Laura d'Estece	Self	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.



# Montana State Senate



## SENATOR JANNA TAYLOR

HELENA ADDRESS:  
PO BOX 200500  
HELENA, MONTANA 59620-0500  
PHONE: (406) 444-4800

HOME ADDRESS:  
PO BOX 233  
DAYTON, MT 59914  
PHONE: (406) 253-8766

COMMITTEES:  
LOCAL GOVERNMENT VICE CHAIR  
TAXATION  
AGRICULTURE

*The Treasure State*

February 21, 2013

Dear Mr. Chairman, Members of the Senate Judiciary Committee,

Sorry I missed the committee this morning. I am writing to you in regards of Senate Bill 310. I stand strongly against this bill.

I am familiar with a Post-Traumatic Stress Disorder situation and the answer to the situation I know of is NOT medical marijuana. He is in his mid-20's. Out of 6 years, he has served over 30 months in a war zone. He is a well-polished soldier, currently a staff sergeant, receiving numerous Army Commendation Medals, Combat Infantryman Badge, Combat Action Badge, and a Purple Heart recipient.

Being deployed several times means he has adjusted to different living arrangements, temperatures, and atmospheres such as danger and safe zones. He has had to go from sleeping safely in his own home to sleeping in a tent while mortars are randomly launched on the base. He has lived cautiously 24/7, carrying a loaded rifle by his side, to having to adjust to civilian life here in the United States. My point is, there are many many adjustments an American Soldier has to make in order to survive.

Think of how it would feel to live under such stress for months on end and then suddenly being thrown back into life at home. There is a drastic difference in stress levels between the two. A soldier fights for our lives, all the while fighting for his own life on a minute by minute basis. Life suddenly turns into an adrenaline rush. When he returns from a war zone, life is no longer the same. The mentality of a soldier changes after months and months of living in such a high stress and anxiety filled situation.

Due to the drastic mentality change, I strongly disagree with medical marijuana being used for Post-Traumatic Stress Disorder. PTSD is a mental disorder. We need to focus our time and energy to providing mental health services. The bottom line is, there are soldiers who cannot make the adjustments listed above. Drinking and driving, domestic violence, suicide and divorce are just some of the final outcomes that come from war. Not only do we as Americans, need to support our troops while overseas, we need to support them at home as well. The War is not over when they come home. We need to provide the services for them to fight the war at home as well.

I strongly encourage you to vote against Senate Bill 310.

Respectfully,

A handwritten signature in black ink, appearing to read "Janna Taylor", written over a large, stylized, circular flourish.

Senator Janna Taylor